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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,750	02/10/2006	Peter Lisec	4301-1154	5637
<div>466 7590 09/17/2008</div> <div>YOUNG & THOMPSON</div> <div>209 Madison Street</div> <div>Suite 500</div> <div>ALEXANDRIA, VA 22314</div>				
EXAMINER				
NGUYEN, PHONG H				
ART UNIT		PAPER NUMBER		
3724				
MAIL DATE		DELIVERY MODE		
09/17/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/567,750

Applicant(s)

LISEC, PETER

Examiner

PHONG H. NGUYEN

Art Unit

3724

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date 06/09/2008
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 28-34 and 36-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bergfelt et al. (4,221,150), hereinafter Bergfelt, in view of Klages et al. (1,852,310), hereinafter Klages, and Meuret (FR 2,545,815).

Regarding claim 28, Bergfelt teaches a glass cutting table comprising:

a base frame (10);

a table top (12), having outermost opposite lengthwise edges and outermost opposite widthwise edges, the table top mounted on the base frame and configured to support a glass plate to be divided;

guides (48 and 84) mounted on the base frame;

continuous conveyor elements (38 and 88);

a cutting bridge (22), connected to the guides (47 and 84) and to the conveyor elements (38 and 88) at each of two ends of the cutting bridge, and having a cutting head (24), the cutting head (24) movable on the cutting bridge (22), wherein,

the cutting bridge (22) is movable along the table top (12) and guided by the guides (48 and 84).

See Figs. 1-3.

Bergfelt does not teach the guides (48 and 84) and the conveyor elements being located underneath the top (12).

Klages teaches guides (3) for guiding a cutting bridge 4 and the conveyor elements (6) being located underneath a top (2). See Fig. 1.

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide the guides and the conveyor elements in the glass cutting table of Bergfelt underneath the top as taught by Klages so that the width of the glass cutting table can be reduced while the supporting area of the top is unchanged for using the glass cutting table in a small warehouse.

Bergfelt does not teach the top (12) being able to be folded up and the cutting bridge (22) being able to move into a position outside of the top (3).

Meuret teaches a top (7) of a glass cutting table being able to be folded up and a cutting bridge (19) being able to move into a position outside of the top (7). See Figs. 1-2.

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to make the top of the glass cutting table of Bergfelt foldable as taught by Meuret so that an operator can pivot the top to load a glass panel onto the top or to unload a glass panel out of the top.

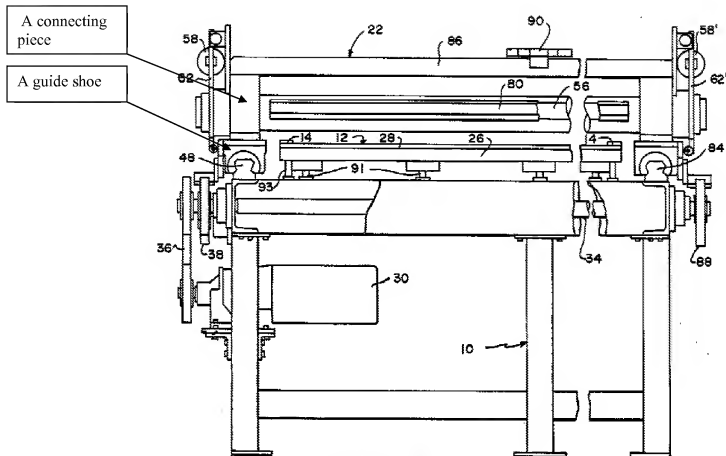
Regarding claim 29, guides (48 and 84) in form of a rod are best seen in Fig. 4 in Bergfelt.

Regarding claim 30, Bergfelt teaches the cutting bridge (22) being connect to guide shoes by connecting pieces. See Fig. 4.

Regarding claim 31, Bergfelt does not teach the connecting pieces being pointed obliquely inside of the top (12).

Klages teaches providing a connecting piece 63 being pointed obliquely inside of a top 2 to increase the supporting area of the top. See Fig. 4.

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify the connecting piece in Bergfelt by replacing the Bergfelt's connecting pieces with the Klages' ones to increase the supporting area of the top.



Regarding claims 32 and 33, a motor 30 and two continuous conveyor elements are best seen in Fig. 4 in Bergfelt.

Regarding claim 34, a shaft 34 assigned to the two continuous conveyor elements is best seen in Fig. 4 in Bergfelt.

Regarding claim 36, as the glass cutting table of Bergfelt is modified by the teaching of Meuret, the top comprising a first section 40 and a pivotable second section 7 is best seen in Figs. 1-2 in Meuret.

Regarding claim 37, the pivoting direction of the large pivotable section 7 is best seen in Figs. 1-2 in Meuret.

Regarding claims 38 and 39, the orientation of the guide rails (48 and 84) is best seen in Figs. 1 and 4 in Bergfelt.

Regarding claim 40, a drive roll 32 and a deflection roll 40 are best seen in Fig. 2 in Bergfelt.

Regarding claim 41, the drive shaft 34 rotatably supported on the base frame 10 is best seen in Fig. 4.

3. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bergfelt et al. (4,221,150), hereinafter Bergfelt, in view of Klages et al. (1,852,310), hereinafter Klages, and Meuret (FR 2,545,815) as applied to claims 15-19 above, and further in view of Applicant's admitted prior art, hereinafter AAPA.

The modified glass cutting table of Bergfelt teaches using toothed gears and chains to drive the cutting bridge. Bergfelt does not teach the use of toothed belts and gears meshing with the tooth belts.

AAPA teaches the use of toothed belts and gears meshing with the tooth belts for driving a cutting bridge being well known in the art. See page 2 of the Substitute Specification.

Since the tooth belts and the chains are well known in the art for driving cutting bridges, they are art equivalents being used for driving cutting bridges.

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to use toothed belts and gears meshing with the tooth belts for

driving the cutting bridge as taught by AAPA since it has been held that substituting equivalents known for the same purpose is obvious to one skilled in the art. See MPEP, 2144.06.

Response to Arguments

4. Applicant's arguments filed 06/09/2008 have been fully considered but they are not persuasive.

The Applicant argues against Bergfelt, Klages and Meuret individually. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The combination of Bergfelt, Klages and Meuret teaches all the limitation of claim 28. Bergfelt teaches the base frame and the table top; Klages teaches locating guides for the cutting bridge underneath the table top; and Meuret teaches a pivoting section of the table top. Therefore, Bergfelt, Klages and Meuret together teach all the limitations of claim 28.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHONG H. NGUYEN whose telephone number is (571)272-4510. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 571-272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

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Customer Service Representative or access to the automated information system, call
800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. H. N./
Examiner, Art Unit 3724
September 14, 2008